

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office AUG 27 1997
 Returned to applicant for correction SEP 10 1997
 Corrected application filed OCT 14 1997
 Map filed OCT 14 1997

The applicant High Desert Springs, L.L.C., hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

1. The source of the proposed appropriation is **Underground**
2. The amount of water applied for is 2.7 c.f.s. (not to exceed 500 acre-feet per annum) second-feet
 - (a) If stored in reservoir give number of acre-feet
3. The water to be used for **Quasi-municipal purposes**
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated
 - (b) Stockwater, state number and kinds of animals to be watered
 - (c) Other use (describe fully under No. 12. "Remarks")
 - (d) Power:
 - (1) Horsepower developed
 - (2) Point of return of water to stream
5. The water is to be diverted from its source at the following point Within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 6, T.6S., R.61E., M.D.B.&M., or at a point from which the NW corner of Section 19, T.6S., R.61E., M.D.B.&M. bears S. 3° 6' 7" W., a distance of 12,293.57 feet.
6. Place of Use portions of the NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 1, T.6S., R.60E., M.D.B.&M.; and portions of the NW $\frac{1}{4}$ SW $\frac{1}{4}$, portions of SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 5; SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$, Section 6; NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$, NE $\frac{1}{4}$, Section 7; portions of the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 8; T.6S., R.61E., M.D.B.&M.; as shown on the supporting map.
7. Use will begin about January 1 and end about December 31 of each year.
8. Description of proposed works A drilled and cased well, equipped with motor, pump & distribution system.
9. Estimated cost of works \$250,000.00
10. Estimated time required to construct works 3 years
11. Estimated time required to complete the application of water to beneficial use 5 years
12. Remarks: Water appropriated by this application will both supplement and in addition to the applicant's existing water rights from Ash Springs and will be used for the proposed Ash Springs Resort development which will include a casino, motel, spa, RV

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park, golf course, airport, museum, nature exhibits, outdoor amphitheater and other amenities. Applicant has entered into an agreement with the BLM for the purchase of public lands which make up a portion of the proposed place of use.

By s/Gregory M. Bilyeu
Gregory M. Bilyeu-Agent
P. O. Box 70458
Reno, Nevada 89570-0458

Compared my/CMS

Protested 1-23-98 Bruce R. Scott, agent for Alamo Sewer & Water District
2-28-98 U.S. Fish and Wildlife Service 2-24-98 Charles W. Pettee, behalf of US Dept.
of Interior, Nat. Prk. Srv. *****

DENIAL OF STATE ENGINEER

~~THIS IS TO CERTIFY THAT I HAVE EXAMINED THE FOREGOING APPLICATION, AND DO~~
~~HEREBY GRANT THE SAME, SUBJECT TO THE FOLLOWING LIMITATIONS AND CONDITIONS:~~

This application is hereby denied on the grounds that to permit the appropriation of water under the application would interfere with existing rights and threaten to prove detrimental to the public interest. No ruling is made on the merits of the protests.

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 9th day of February, A.D. 2006.



State Engineer